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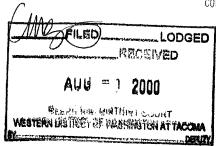
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UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT TACOMA

TONY K. SCHNOOR,

Plaintiff,

V.

CLARK COUNTY, et al.,

Defendants.

Case No. C00-5250FDB

ORDER DENYING MOTION TO WITHDRAW COMPLAINT AND ADOPTING REPORT AND RECOMMENDATION

The Magistrate Judge issued his Report and Recommendation, and upon his request, Plaintiff was given an extension of time to file his objections. Plaintiff then moved to amend his complaint, which the Magistrate Judge denied because the proposed amendment was a mere recharacterization of his original claim, which is barred by *Heck v. Humphrey*, 512 U.S. 477 (1994). Plaintiff now moves to withdraw his complaint.

Under the circumstances, it would be inappropriate at this late date to allow a withdrawal of the complaint; this motion will be denied and the Magistrate Judge's R & R will be adopted.

NOW, THEREFORE,

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ORDER - 1